

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

POWER INTEGRATIONS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 04-1371-JJF
	)	
FAIRCHILD SEMICONDUCTOR	)	
INTERNATIONAL, INC., and FAIRCHILD	)	
SEMICONDUCTOR CORPORATION,	)	
	)	
Defendants.	)	

**DEFENDANTS' MOTION TO SHORTEN TIME FOR BRIEFING  
REGARDING MOTION FOR PROTECTIVE ORDER REGARDING DEPOSITION  
OF MICHAEL C. KEELEY, REBUTTAL EXPERT REPORT ON DAMAGES,  
AND CONTINUATION OF DAMAGES TRIAL**

Defendants Fairchild Semiconductor International, Inc. and Fairchild Semiconductor Corp. (collectively, "Fairchild") hereby seek an order shortening the time for briefing on Defendants' Motion For Protective Order Re Deposition Of Michael C. Keeley, Rebuttal Expert Report On Damages, And Continuation Of Damages Trial. An expedited briefing schedule and hearing is necessary since the parties' close of damages discovery is currently set for August 25, 2006. Defendants are in great need of the Court's decision on the issues in the underlying motion for protective order prior to the close of damages discovery.

By delaying production of Court-ordered damages discovery, refusing to produce that discovery to this day, and submitting a completely new damages expert report two weeks before damages discovery is to close, plaintiff Power Integrations has severely prejudiced Defendants' ability to prepare its damages case and made it impossible for the parties to conclude a variety of necessary damage-related activities prior to the damages discovery deadline.

The underlying motion for protective order addresses scheduling and completion of damages discovery and reports in this case, and scheduling of the damages portion of trial. Because the current damages discovery cutoff date is impending and the Defendants need the

Court to hear and decide the issues in the underlying motion prior to that date, good cause exists to order briefing and hearing of the underlying motion on shortened time.

In particular, Defendants respectfully request that the Court order that the underlying motion be briefed and heard on shortened time as follows:

- (1) Power Integrations shall file and serve any opposition to Defendants' Motion For Protective Order Re Deposition Of Michael C. Keeley, Rebuttal Expert Report On Damages, And Continuation Of Damages Trial by August 16, 2006; and,
- (2) Fairchild shall file and serve any response in support of its Motion For Protective Order by August 18, 2006.
- (3) Hearing on Defendants' Motion For Protective Order is requested to occur at the earliest available opportunity prior to August 25, 2006.

Power Integrations refused Fairchild's request that the parties stipulate to expedited briefing so that the Court could consider this issue. Thus, Defendants have no choice but to request that the Court shorten time on Defendants' underlying motion for protective order.

ASHBY & GEDDES

*/s/ Tiffany Geyer Lydon*

---

Steven J. Balick (I.D. #2114)  
 John G. Day (I.D. #2403)  
 Tiffany Geyer Lydon (I.D. #3950)  
 222 Delaware Avenue, 17<sup>th</sup> Floor  
 P.O. Box 1150  
 Wilmington, DE 19899  
 (302) 654-1888

*Attorneys for Defendants  
 Fairchild Semiconductor International,  
 Inc. and Fairchild Semiconductor Corp.*

*Of Counsel:*

ORRICK, HERRINGTON & SUTCLIFFE LLP  
 G. Hopkins Guy, III (#124811)  
 Bas de Blank (#191487)  
 1000 Marsh Road  
 Menlo Park, CA 94025  
 (650) 614-7400

Dated: August 11, 2006

172090.1

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1.1**

Given the fact that Plaintiff opposes Defendants' accompanying substantive Motion for Protective Order Regarding Deposition of Michael C. Keeley, Rebuttal Expert Report on Damages, And Continuation of Damages Trial and the expedited nature of the relief requested, it was assumed that plaintiff would oppose this corresponding motion.

*/s/ Tiffany Geyer Lydon*

---

Tiffany Geyer Lydon

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

POWER INTEGRATIONS, INC., )  
Plaintiff, )  
v. ) C.A. No. 04-1371-JJF  
FAIRCHILD SEMICONDUCTOR )  
INTERNATIONAL, INC., and FAIRCHILD )  
SEMICONDUCTOR CORPORATION, )  
Defendants. )

**[PROPOSED] ORDER GRANTING DEFENDANTS' MOTION TO SHORTEN TIME  
FOR BRIEFING REGARDING MOTION FOR PROTECTIVE ORDER REGARDING  
DEPOSITION OF MICHAEL C. KEELEY, REBUTTAL EXPERT REPORT  
ON DAMAGES, AND CONTINUATION OF DAMAGES TRIAL**

Having considered defendants Fairchild Semiconductor International, Inc. and Fairchild Semiconductor Corp.'s Motion To Shorten Time For Briefing Regarding Motion For Protective Order Regarding Deposition Of Michael C. Keeley, Rebuttal Expert Report On Damages, And Continuation Of Damages Trial, plaintiff Power Integrations, Inc.'s opposition, the pleadings and papers on file with the Court, and good cause appearing therefore,

IT IS HEREBY ORDERED as follows:

- (1) Defendants' Motion to Shorten Time is **GRANTED**;
- (2) Power Integrations shall file and serve any opposition to Defendants' Motion For Protective Order Re Deposition Of Michael C. Keeley, Rebuttal Expert Report On Damages, And Continuation Of Damages Trial by August 16, 2006; and,
- (3) Fairchild shall file and serve any response in support of its Motion For Protective Order by August 18, 2006.

(4) Hearing on Defendants' Motion For Protective Order shall occur at the following date and time: \_\_\_\_\_

**IT IS SO ORDERED.**

---

DATE

---

UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on the 11<sup>th</sup> day of August, 2006, the attached **DEFENDANTS'** **MOTION TO SHORTEN TIME FOR BRIEFING REGARDING MOTION FOR PROTECTIVE ORDER REGARDING DEPOSITION OF MICHAEL C. KEELEY, REBUTTAL EXPERT REPORT ON DAMAGES, AND CONTINUATION OF DAMAGES TRIAL** was served upon the below-named counsel of record at the address and in the manner indicated:

William J. Marsden, Jr., Esquire  
Fish & Richardson, P.C.  
919 N. Market Street  
Suite 1100  
Wilmington, DE 19801

HAND DELIVERY

Frank E. Scherkenbach, Esquire  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

VIA FEDERAL EXPRESS

Michael Kane, Esquire  
Fish & Richardson P.C.  
60 South Sixth Street  
3300 Dain Rauscher Plaza  
Minneapolis, MN 55402

VIA FEDERAL EXPRESS

Howard G. Pollack, Esquire  
Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, CA 94063

VIA FEDERAL EXPRESS

*/s/ Tiffany Geyer Lydon*

---

Tiffany Geyer Lydon